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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/234,290	01/20/1999	LINDA C. BURKLY	10274/008003	6288

26161 7590 01/27/2003

FISH & RICHARDSON PC
225 FRANKLIN ST
BOSTON, MA 02110

EXAMINER

ART UNIT	PAPER NUMBER
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DATE MAILED: 01/27/2003

82

Please find below and/or attached an Office communication concerning this application or proceeding.

Art Unit: 1642

1. The Appeal Brief filed on October 31, 2002 (Paper No. 21) in response to the Office Action of November 16, 2001 (Paper No. 17) is acknowledged and has been entered. 2. The Appeal Brief is defective because the Brief does not comply with the requirements of 37 CFR 1.192(c)(3)(5) because:

The Status of the claims does not include reference to all of the claims in the examination under file. A statement of the status of all the claims in the application, or patent under reexamination, i.e., for each claim in the case, appellant must state whether it is canceled, allowed, rejected, etc. Each claim on appeal must be identified.

The Summary of the Invention does not include reference to the page and line numbers drawn to the claimed inventions. The Summary of the Invention is a concise explanation of the invention defined in the claims involved in the appeal and shall refer to the specification by page and line number and to the drawing, if any, by reference characters. While reference to page and line number of the specification may require somewhat more detail than simply summarizing the invention, it is considered important to enable the Board to more quickly determine where the claimed subject matter is described in the application.

The submitted Appeal Brief is not sufficient to meet the requirements of 37 CFR 1.192(c)(3)(5). See MPEP 1206, Sections 3, 5.

To avoid dismissal of the appeal, appellant must submit an appeal brief in compliance with the requirements of these sections within the longest of any of the following TIME PERIODS: (1) ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication; (2) within the time period for reply to the action from which appeal has been taken; or, (3) within two months from the date

Art Unit: 1642

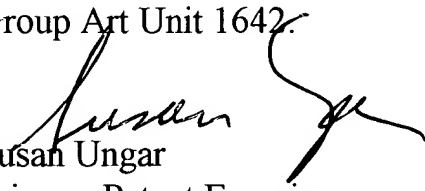
of the notice of appeal under 37 CFR 1.191. Extensions of these time periods may be granted under 37 CFR 1.136.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Ungar, PhD whose telephone number is (703) 305-2181. The examiner can normally be reached on Monday through Friday from 7:30am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Caputa, can be reached at (703) 308-3995. The fax phone number for this Art Unit is (703) 308-4242.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 308-0196.

Effective, February 7, 1998, the Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 1642.


Susan Ungar
Primary Patent Examiner
December 16, 2002